

DMB:JPL
F.# 2010R00017

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-against-

JOHN DOE,

ORDER FOR JUDICIAL REMOVAL

10 CR 0013 (RJD)

Defendant.

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Upon consideration of the joint motion of the United States of America and the defendant AMANULLAH ZAZI, for an Order for Judicial Removal; upon the Factual Allegations in Support of Judicial Removal, the Plea Statement in Support of Judicial Removal, and upon all prior proceedings and submissions in this matter the Court finds:

1. The defendant is not a citizen or national of the United States.

2. The defendant is a native and citizen of Afghanistan.

3. The defendant was admitted to the United States on or about April 16, 2009 as an immediate relative beneficiary - "IR2" - child of naturalized U.S. citizen Mohammed Wali Zazi.

4. The defendant is not the child of Mohammed Wali Zazi.

5. The defendant has been convicted in this Court pursuant to a guilty plea of aiding and abetting others in the receipt of military-type training from a designated foreign terrorist organization, to wit: al-Qaeda, in violation of 18 U.S.C. § 2339D(a); and of conspiracy to obstruct justice in a federal terrorism investigation, in violation of 18 U.S.C. § 1512(k).

6. A sentence of 10 years' imprisonment may be imposed for a violation 18 U.S.C. § 2339D(a), and a maximum sentence of 20 years' imprisonment may be imposed for a violation 18 U.S.C. § 1512(k).

7. The defendant is subject to removal under section 237(a)(1)(A) of the Immigration and Nationality Act of 1952, as amended ("INA"), 8 U.S.C. § 1227(a)(1)(A), as an alien who at the time of entry or adjustment of status was within one or more of the classes of aliens inadmissible by the law existing at such time, to wit: pursuant to section 212(a)(7)(A)(i)(I) of the INA, 8 U.S.C. § 1182(a)(7)(A)(i)(I), as an alien who was not in possession of a valid unexpired immigrant visa, reentry permit, border crossing identification card, or other valid entry document required by the INA, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality if such document was required under the regulations issued by the Attorney General under INA section 211(a), 8 U.S.C. § 1181(a).

8. The defendant has waived his right to notice and a hearing under section 238(c) of the INA, 8 U.S.C. § 1228(c).

9. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.

10. The defendant has designated Afghanistan as the country for removal pursuant to section 240(d) of the INA, 8 U.S.C. § 1229a(d).

WHEREFORE, IT IS HEREBY ORDERED, pursuant to section 238(c) of the INA, 8 U.S.C. § 1228(c), that an order of removal from the United States to Afghanistan is entered against the defendant.

SO ORDERED.

Dated: Brooklyn, New York
December 14, 2012

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/s/ Judge Raymond J. Dearie

THE HONORABLE RAYMOND J. DEARIE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK